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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number

10/541,799

Filing Date

July 11, 2005

First Named Inventor

Michael Anthony Barrett

Art Unit

Examiner Name

Attorney Docket Number

M03B141

**ENCLOSURES (Check all that apply)**☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☒Reply to Missing Parts/  
Incomplete Application☐Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a  
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

Remarks

☐

After Allowance Communication to TC

☐Appeal Communication to Board  
of Appeals and Interferences☐Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify  
below):POWER OF ATTORNEY and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

The BOC Group, Inc.

Signature

Printed name

Ira Lee Zembrak

Date

March 31, 2006

Reg. No.

31,147

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Betty Lee

Typed or printed name

Betty Lee

Date

March 31, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Anthony Barrett  
S/N: 10/541,799  
Filed: July 11, 2005  
Entitled: Gas Capsules and Method of Filling Them  
Atty. Dkt.: M03B141

Group: n/a

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO THE NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Dear Sir:

In response to the Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) (copy enclosed) mailed March 3, 2006, Applicant submits the enclosed Declaration executed by him on March 27, 2006. The Commissioner is hereby authorized to charge to Deposit Account No. 02-2865, the \$130.00 fee required under 37 CFR 1.16(e).


The Commissioner is requested to grant any necessary extension of time and is authorized to charge any additional fee, if required, to our Deposit Account No. 02-2865. This request is submitted in triplicate.

04/10/2006 HKAYPAGH 00000116 022865 10541799

01 FC:1617 130.00 DA

Date: March 31, 2006  
The BOC Group, Inc.  
Legal Services - Intellectual Property  
575 Mountain Ave.  
Murray Hill, NJ 07974

Respectfully submitted,

  
Ira Lee Zebrak  
Attorney for Applicant(s)  
Reg. No. 31,147  
(908) 771-6469

Attachments: Original Declaration  
Notification Of Missing Requirements

CERTIFICATE OF MAILING

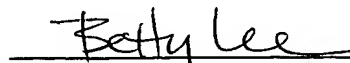
I hereby certify that this correspondence and every writing referred to herein as being enclosed is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

March 31, 2006

(Date)

Betty Lee

Printed name of person signing this certificate

  
Signature of person mailing

ILZ:bjl

MAR - 9 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

Intellectual Property Dept.

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/541,799	Michael Anthony Barrett	M03B141

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/GB04/00039

I.A. FILING DATE	PRIORITY DATE
01/07/2004	01/09/2003

20411  
 THE BOC GROUP, INC.  
 575 MOUNTAIN AVENUE  
 MURRAY HILL, NJ 07974-2064

CONFIRMATION NO. 4269

371 FORMALITIES LETTER



\*OC000000017964029\*

Date Mailed: 03/03/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/11/2005
- Copy of the International Search Report filed on 07/11/2005
- Preliminary Amendments filed on 07/11/2005
- Information Disclosure Statements filed on 07/11/2005
- U.S. Basic National Fees filed on 07/11/2005
- Priority Documents filed on 07/11/2005
- Specification filed on 07/11/2005
- Claims filed on 07/11/2005
- Abstracts filed on 07/11/2005
- Drawings filed on 07/11/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/541,799	PCT/GB04/00039	M03B141